



STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION



Connecticut General Assembly Children's Committee Testimony of Commissioner Designate Charlene Russell-Tucker March 1, 2022

Good morning Representative Linehan, Senator Anwar, Senator Kelly, Representative Dauphinais, and members of the Children's Committee. I am Charlene Russell-Tucker, Commissioner Designate of the Department of Education (Department). I am sorry that I am unable to join you virtually today, but I would like to offer you the following written testimony.

H.B. No. 5244, An Act Concerning the Provision of Opioid Antagonists in Schools

The Department is supportive of this proposal. However, given the Department's current staffing capacity, we would need additional funding for a full-time employee to administer the grant program, which is not included in the enacted FY 22-23 budget. We would also suggest removing the requirement for nurses to annually complete a training in the distribution and administration of an opioid antagonist in order to administer such an opioid antagonist. There is no need for the training to be annual for school nurses, as the administration of an opioid antagonist falls within their scope of practice. We would also request that the requirement to develop guidance outlined in lines 266-270 be extended to July 1, 2023 in order for the Department to realistically meet the deadline. The staffing capacity previously noted would support the development of this guidance.

H.B. No. 5239, An Act Concerning Accommodations for English Language Learners

The Department does not believe this proposal is necessary, as we already offer a wide array of universal tools, designated supports and accommodations on the standard, state academic assessments for all learners, including English learners, as well as those who are dually identified as students with disabilities. The Department's [Accessibility Chart](#) provides a high-level overview of the range of supports available. The overall intent of these accessibility features is to ensure that all students, regardless of English language proficiency or disability, can demonstrate their academic achievements on the assessment to their fullest potential. Therefore, it is particularly important that these features not be introduced for the first time on the state assessment but are consistently embedded and accessed by the student in their instructional setting.

All standard state assessments are administered digitally. The Smarter Balanced ELA/Math and Science assessments are not strictly timed for any student. Additionally, students can be given breaks as necessary during the test, including the opportunity to complete the test over multiple days. Below are some examples of the types of accessibility supports available for the Smarter Balanced and Science assessments. They may be embedded digitally within the testing platform or provided separately as a non-embedded tool. Detailed descriptions of these supports are available in the [Assessment Guidelines](#) starting on page 16.

- **Universal tools** are accessibility features of the assessment that are available to all learners, including English learners. These tools include a digital notepad, highlighter,

zoom, strikethrough, definitions of construct-irrelevant terms, math tools (i.e., embedded ruler, embedded protractor), periodic table, and calculator for permitted items.

- **Designated supports** are those accessibility features available for use by any student including English learners for whom the need has been indicated by an educator (or a team of educators with parent/guardian and student). These include color contrast, picture glossary in math for construct-irrelevant terms, masking to reduce distraction, size and color of mouse pointer, font size of test, text-to-speech (or human read-aloud) for math/science stimuli and items and ELA items except for reading passages, separate test setting to reduce distractions, and simplified test directions. Some designated supports may be especially beneficial to English learners. These include Spanish translations of math and science items, translated glossaries in multiple languages for construct-irrelevant terms in math, bilingual dictionaries in science, Spanish read-aloud in math and science, and translated test directions in multiple languages for ELA and math.
- **Accommodations** are provided to students with disabilities (including English learners with a disability) on all state assessments as specified in the student's individualized education program (IEP) or Section 504 plan. These include American Sign Language (ASL) video, braille, closed captioning for ELA listening, speech-to-text for ELA and math open-ended items, text-to-speech or read aloud for ELA reading passages, 100s number table, multiplication table, abacus, manipulatives, human signer, and scribe.

The CT SAT School Day is also being administered digitally starting with Spring 2022. Many of the tools referenced above are available on the CT SAT School Day. These are described in the [Assessment Guidelines](#) document starting on page 46. Specifically, English learners are eligible to receive 50% extra time on the CT SAT School Day. They may also benefit from translated (or native language reader for) test directions in multiple languages, and word-to-word glossaries in over 100 languages.

H.B. No. 5241, An Act Providing Funding to School Districts for the Use of Therapeutic Day Schools for Special Education

This proposal creates a new grant program, which is not currently funded in the enacted FY 22-23 budget, nor was it proposed as part of the Governor's Midterm adjustments. The position needed to administer this program was also not included in the budget. We believe that if additional funds were to be made available for special education, it would be the Department's recommendation that those funds be appropriated to the Excess Cost grant and not a separate grant program. Additionally, the word "therapeutic day school" is not defined, and it is unclear if that refers to Approved Private Special Education Placements. We also do not believe the state should be funding unilateral placements, or any placement, that is not the result of a Planning and Placement Team (PPT) decision. The Department believes that needs to be made clear in this proposal. Lastly, we believe that this disincentivizes school districts to provide supplementary aids and services in the district to ensure the student is educated in their town/public school as is required under federal law's mandate that students with disabilities receive a free appropriate public education in the least restrictive environment.

H.B. No. 5243, An Act Concerning Adult Sexual Misconduct

Section 1, 2, 3 – There are over 70 data collections that are required of districts each year, and as such the Department would not recommend making this a mandatory collection. Instead, as is current practice, we would ask that the Department be allowed to continue to work with the districts selected by the Centers for Disease Control and Prevention to support their participation in the Department of Public Health’s administration of the Connecticut School Health Survey.

Section 4 – The requirements outlined in this section are already required under Section 17a-101q of the Connecticut General Statutes, which directs the Connecticut Department of Children and Families (DCF) in collaboration with the Connecticut State Department of Education, and the Connecticut Alliance to End Sexual Violence (formerly Connecticut Sexual Assault Crisis Services, Inc. or CONNSACS) to develop a statewide sexual assault and sexual abuse awareness and prevention program to be implemented in all local and regional school districts in Connecticut. A link to information about the program is copied below.

[Statewide K 12 Sexual Assault and Abuse Prevention and Awareness Program Guidance.pdf \(ct.gov\)](#)

Section 7 – Allows an individual who is a mandated reporter, and who did not report a possible case of sexual abuse or neglect of a child, to be exempt from prosecution after a period of three years. The Department is opposed to this section as we believe every incident of possible abuse or neglect in a school district must be reported to provide maximum protection of our students

Sections 10 & 11 – The Department has concerns regarding the requirements outlined for local boards of education in these sections. Employees of local boards of education are considered mandatory reporters in cases of suspected incidents of child abuse or neglect and are required to notify DCF when such an incident occurs. To then require districts to conduct parallel investigations could lead to inadvertent interference with investigations being undertaken by DCF and law enforcement.

Section 13 - All hiring is district based. This applies to certified and non-certified staff. Hiring processes and procedures are established by each district, with approval by their designated boards of education. When a district enters into a partnership with entities providing services to students within said district, those contracts are reviewed by legal counsel and then approved by the board of education before the district can enter into a partnership. When districts post a position, whether certified or non-certified qualifications must be referenced to all applicants (i.e. successful background checks, etc.) The Department cannot impose an additional “checklist” or “screening tool” on districts when hiring is solely a local district decision.

SB No. 205, An Act Establishing a Children's Mental Health Day in Connecticut

The Department enthusiastically supports the Governor declaring May 26th of each year as Get Outside and Play for Children's Mental Health Day to raise awareness about issues relating to children's mental health and the positive effect that being outdoors has on children's mental health and wellness, including physical health. There is recent concern regarding the resurgence of childhood obesity. If passed, the Department will join in promoting observance of this day at schools across Connecticut.